

Lockwood Primary School



Whistleblowing Policy

Date	Review Date	Coordinator	Nominated Governor
02/05/23	May 2024	Mrs L Lawson	Mrs K Boffey

We believe this policy should be a working document that is fit for purpose, represents the school ethos, enables consistency and quality across the school and is related to the following legislation:

- Employment Rights Act 1996
- Public Interest Disclosure Act 1998
- Public Interest Disclosure (Compensation) Order 1999
- Public Interest Disclosure (Prescribed Persons) Order 1999
- Public Interest Disclosure (Prescribed Persons) (Amendment) Order 2003
- Equality Act 2010
- Enterprise and Regulatory Reform Act 2013
- Data Protection Act 2018

The following documentation is also related to this policy:

- Equality Act 2010: Advice for Schools (DfE)
- Race Disparity Audit - Summary Findings from the Ethnicity Facts and Figures Website (Cabinet Office)
- Data Protection: a toolkit for schools (DfE)

We are aware that the Brexit transition period ended on 31 December 2020 and, therefore, UK organisations that process personal data must now comply with the:

- DPA (Data Protection Act) 2018 and UK GDPR (General Data Protection Regulation) if they process only domestic personal data;
- DPA 2018 and UK GDPR, and the EU GDPR if they process domestic personal data and offer goods and services to, or monitor the behaviour of, EU residents.

We believe whistle blowing is the reporting of suspected wrongdoing in the workplace which is regarded as making a disclosure in the public interest. We actively encourage all school personnel and visitors to school to report any serious concerns they may have about any aspect of the school such as:

- health and safety concerns
- damage to the school environment
- a criminal offence that has taken place or is about to take place
- disobeying the law
- the covering up of a wrong doing
- the conduct of its personnel or others acting on behalf of the school.

We believe school personnel, supply staff, and students on work experience are protected by law if they make a disclosure on any of the above, that is if they think what they are reporting is true, that they think they are telling the right person and if they believe their disclosure is in the public interest.

We understand that those wishing to make a disclosure may do so to the Headteacher, to a member of the local authority, to a prescribed person such as Her Majesty's Chief Inspector of Education, to a legal adviser or to a Member of Parliament.

We believe that where the concern relates to an individual's own employment the school's Grievance Policy must be used. However, if the concern relates to something which is against the school's policies, falls below standards of practice or amounts to improper conduct then the procedures in this policy must be used.

We are committed to the highest possible standards of openness, integrity and accountability.

We as a school community have a commitment to promote equality. Therefore, an equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

We all have a responsibility to ensure equality permeates in to all aspects of school life and that everyone is treated equally irrespective of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. We want everyone connected with this school to feel safe, secure, valued and of equal worth.

We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements that is connected with this policy.

Aims

- To encourage all school personnel to report any serious concerns about any aspect of the school or the conduct of its personnel or others acting on behalf of the school.
- To ensure compliance with all relevant legislation connected to this policy.
- To work with other schools and the local authority to share good practice in order to improve this policy.

Responsibility for the Policy and Procedure

Role of the Governing Body

The Governing Body:

- has delegated powers and responsibilities to the Headteacher to ensure all school personnel and school volunteers are aware of and comply with this policy;
- will provide support for a member of staff who has raised a concern;
- will provide support for a member of staff against whom allegations have been made;
- must keep both parties informed of all progress during any investigation;
- will take no action against a member of staff if, after investigation, their concern has not been confirmed;
- will take disciplinary action if a concern is raised frivolously, maliciously or for personal gain;
- has responsibility for ensuring that the school complies with all equalities legislation;
- has nominated a designated Equalities governor to ensure that appropriate action will be taken to deal with all prejudice related incidents or incidents which are a breach of this policy;
- has responsibility for ensuring funding is in place to support this policy;

- has responsibility for ensuring this policy and all policies are maintained and updated regularly;
- has responsibility for ensuring all policies are made available to parents;

Role of the Headteacher

The Headteacher will:

- ensure all school personnel and volunteers are aware of and comply with this policy;
- work in conjunction with the Senior Leadership Team to ensure all school personnel and volunteers are aware of and comply with this policy;
- encourage all school personnel to raise any concerns they have regarding actual or potential breaches of duty or a failure by the school;
- provide support for a member of staff who has raised a concern;
- provide support for a member of staff against whom allegations have been made;
- keep both parties informed of all progress during any investigation;
- work closely with the link governor;
- provide leadership and vision in respect of equality;
- provide guidance, support and training to all staff;
- monitor the effectiveness of this policy, speaking with school personnel, parents and governors;

Role of School Personnel

School personnel have a duty to speak out against and report any:

- criminal offence that has been committed, is being committed or is about to be committed;
- person who has failed, is failing or is about to fail compliance with any legal obligation that they are subject to;
- miscarriage of justice that has occurred, is occurring or is likely to occur;
- health and safety issue that has endangered, is endangering or is likely to endanger any person;
- damage to the school environment that has been committed, is being committed or is about to be committed.

School personnel, who speak out against and report any of the above, will receive support from the Governing Body. The Governing Body will give support to any member of the school personnel against whom allegations have been made.

However, school personnel must be aware that if they are treated unfairly after blowing the whistle they should consider taking their case to an employment tribunal.

School personnel have a duty to the school not to disclose confidential information. However, in accordance with the provisions of the Public Interest Disclosure Act 1998 this does not prevent an employee from seeking independent advice nor discussing their concern with the charity Public Concern at Work.

School personnel should consider reporting any concerns to their line manager; the Headteacher; Chair of Governors; the local authority; their union or association; Ofsted; the Children's Commissioner; the NSPCC; or the whistle blowing charity Public Concern at Work.

But initially they should raise the concern internally before using a public agency.

School personnel must be aware that all raised concerns are investigated and every effort is made to ensure confidentiality for all parties. When a concern has been raised the following procedure must be followed:

Stage 1

- All concerns should be made in person or in writing.
- The person raising the concern may wish to receive help from the local authority or from their trade union representative.
- At any future meeting the employee may be accompanied by a colleague or their trade union representative.

Stage 2

- Within 10 working days the person with whom the concern has been registered acknowledges receipt in writing.
- The letter will state the following:
 - How the concern will be dealt with;
 - How long it will take to provide a final response;
 - Information on employee support services.

Stage 3

- After initial enquiries have been conducted, a decision will be made if an investigation should take place.
- The investigation will be either:
 - an internal investigation;
 - a referral to the police;
 - a referral to the Council Auditor;
 - an external independent enquiry.

Stage 4

- The employee will be informed in writing of the outcome of the investigation by the Governing Body.
- The employee has the right to take their concern to an independent body if they feel it has not been addressed adequately.

Training

We ensure:

- all school personnel:
 - have received the appropriate training on all safeguarding policies and procedures undertaken by a registered training provider;
 - are familiar with the following documentation:
 - Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges
 - Working Together to Safeguard Children: A Guide to Inter-agency Working to Safeguard and Promote the Welfare of Children
- the content of all training is correct, delivered well and engages staff as we believe that the more engaging training is, the better the outcomes that we need to measure;
- all school personnel understand and undertake their role in safeguarding and child protection effectively

Safeguarding

We are committed to safeguarding and promoting the welfare of all children as the safety and protection of children is of paramount importance to everyone in this school. We work hard to create a culture of vigilance and at all times we will ensure what is best in the interests of all children.

We believe that all children have the right to be safe in our society. We recognise that we have a duty to ensure arrangements are in place for safeguarding and promoting the welfare of children by creating a positive school atmosphere through our teaching and learning, pastoral support and care for both pupils and school personnel, training for school personnel and with working with parents. We teach all our children about safeguarding.

We work hard to ensure that everyone keeps careful watch throughout the school and in everything we do for possible dangers or difficulties. We want all children to feel safe at all times. We want to hear their views of how we can improve all aspects of safeguarding and from the evidence gained we put into place all necessary improvements.

Equality Impact Assessment

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this school.

Race Disparity Audit

We acknowledge the findings of the Race Disparity Audit that clearly shows how people of different ethnicities are treated across the public services of health, education, employment and the criminal justice system.

The educational section of the audit that covers: differences by region; attainment and economic disadvantage; exclusions and abuse; and destinations, has a significant importance for the strategic planning of this school.

Monitoring the Implementation and Effectiveness of the Policy

The practical application of this policy will be reviewed annually or when the need arises by the coordinator, the Headteacher and the nominated governor.

We believe this policy:

- has been reviewed thoroughly by the safeguarding governor and the Designated Safeguarding Lead has been questioned on it to make sure it stands up to scrutiny;
- flows and is easy to follow;
- is an essential part of the school;
- supports staff in managing certain situations;
- forms an important framework that will ensure consistency in applying values and principles throughout the establishment;
- provides guidance, consistency, accountability, efficiency, and clarity on how the school operates;
- provides a roadmap for day-to-day operations;
- ensures compliance with laws and regulations, gives guidance for decision-making, and streamlining internal processes;
- is designed to influence and determine all major decisions, actions and all activities taking place within the boundaries set by them;
- stems from the school's vision and objectives which are formed in strategic management meetings;
- has been received by all school personnel via appropriate safeguarding training;
- is provided to all school personnel and a hard copy can be found in the staffroom reference library

Headteacher:	Mrs L Lawson	Date:	02/05/23
Chair of Governing Body:	Mrs K Boffey	Date:	02/05/23